

Dated: August 26, 2005

Signature: *Georgina Mato* (Georgina Mato)

1006 Rec'd PCT/PTO 26 AUG 2005

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021  
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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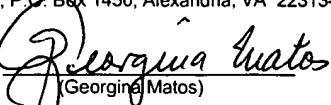
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 562492004400
INTERNATIONAL APPLICATION NO. PCT/GB2003/005361	INTERNATIONAL FILING DATE 9 December 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/537,195
TITLE OF INVENTION     SUPPORT OF PLURAL CHIP RATES IN A CDMA SYSTEM		
APPLICANT(S) FOR DO/EO/US     Martin W. BEALE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Notification of Change of Status and Request for Refund (2 pages) Return Receipt Postcard</p>		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/537,195		INTERNATIONAL APPLICATION NO. PCT/GB2003/005361		ATTORNEY'S DOCKET NUMBER 562492004400	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee ..... \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100 All other situations ..... \$200					
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared and provided to the Office ..... \$400 All other situations ..... \$500				\$	
<b>TOTAL OF 21, 22 and 23 =</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		108 - 108	0	x 50.00	\$ 0.00
Independent claims		4 - 4=	0	x 200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				+ 360.00	\$ 0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 0.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				\$	
<b>SUBTOTAL =</b>				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	0.00
<b>TOTAL FEES ENCLOSED =</b>				\$ 0.00	
				Amount to be refunded:	\$2,950.00
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
 SIGNATURE: _____ NAME: _____ Bryan Wyman					
CUSTOMER NUMBER: 25226					
48,049					
REGISTRATION NUMBER					

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV544978862US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 26, 2005      Signature:

  
(Georgina Matos)

Docket No.: 562492004400  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Martin W. BEALE

Application No.: 10/537,195

International Application No. PCT/GB2003/005361

Filed: (Int'l) December 9, 2003

Art Unit: Not Yet Assigned

For: SUPPORT OF PLURAL CHIP RATES IN A  
CDMA SYSTEM

Examiner: Not Yet Assigned

**NOTIFICATION OF CHANGE OF STATUS AND**  
**REQUEST FOR REFUND UNDER 37 CFR 1.28(a)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby notifies the Patent and Trademark Office that it is entitled to status as a small entity and that the filing fee paid on June 2, 2005 in the amount of \$5,900.00 was paid as a large entity. Since this Request falls within the three-month period of paying the full fee, a refund in the amount of \$2,950.00 is requested.

The Commissioner is hereby authorized to refund any overpayments to Deposit Account No. 03-1952, referencing docket no. 562492004400.

Dated: August 25, 2005.

Respectfully submitted,

By   
Bryan H. Wyman

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